

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MOBILEMEDIA IDEAS LLC, et al.,

Plaintiffs,

v.

SAMSUNG ELECTRONICS CO., LTD., et
al.,

Defendants.

Case No. [17-cv-01958-HSG](#)

**ORDER GRANTING IRONWORKS
PATENTS LLC'S MOTION TO
SUBSTITUTE PARTIES AND
COUNSEL**

Re: Dkt. No. 66

On May 26, 2017, MobileMedia Ideas LLC ("MMI") filed suit against Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung"), alleging infringement of the '078, '239, and '125 Patents.¹ Dkt. No. 1 ("Compl"). On March 27, 2017, MMI assigned the patents-in-suit to Ironworks Patents LLC ("Ironworks"). Dkt. No. 66-2. Consequently, Ironworks has filed a motion to substitute parties and counsel, Dkt. No. 66, which is now fully briefed.

Federal Rule of Civil Procedure 25(c) states that "[i]f an interest is transferred, the action may be continued by or against the original party unless the court, on motion, orders the transferee to be substituted in the action or joined with the original party." The decision of whether to grant a motion to substitute or join a party is left to the "sound discretion" of the district court, weighing whether "the transferee's presence would facilitate the conduct of the litigation." *In re Bernal*, 207 F.3d 595, 598 (9th Cir. 2000) (internal quotation marks omitted). Accordingly, "the court, if it sees fit, may allow the transferee to be substituted for the transferor or if it wishes, it may retain the transferor as a party and order that the transferee be made an additional party." *McKesson*

¹ These patents-in-suit were issued as U.S. Patent Nos. 6,427,078; 5,915,239; and 5,553,125. Compl. ¶¶ 18, 21, 24.


1 *Info. Sols., Inc. v. Bridge Med., Inc.*, No. CIVS022669 FCD KJM, 2006 WL 658100, at *2 (E.D.
2 Cal. Mar. 13, 2006). Here, after carefully considering the parties' arguments, the Court finds in its
3 discretion that this litigation will be most fairly and efficiently adjudicated by allowing Ironworks
4 to replace MMI as the plaintiff. Consequently, substituting MMI's counsel with Ironworks'
5 counsel is also clearly appropriate.

6 For the foregoing reasons, Ironworks' motion for substitution of parties and counsel is

7 **GRANTED.**

8 **IT IS SO ORDERED.**

9 Dated: 7/6/2017

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11 HAYWOOD S. GILLIAM, JR.
12 United States District Judge
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